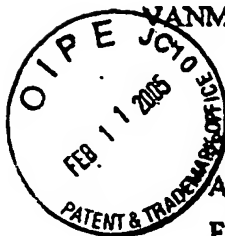


Considered  
DM  
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PATENT



VANM243.1APCI

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gabant *et al*  
Appl. No. : 10/031,021  
Filed : March 19, 2003  
For : NON-HUMAN GENETICALLY  
MODIFIED MAMMAL LACKING  
THE ALPHA-FETOPROTEIN  
Examiner : Nguyen, D. T.  
Group Art Unit : 1632

DECLARATION UNDER 37 C.F.R. § 1.132

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

1. This Declaration is being submitted to demonstrate that the knowledge of how to create a modification in a mouse AFP gene using ES cell technology was readily available to a person skilled in the art at the time the US Provisional Application No.: 60/143,269 to which this Application claims priority was filed.
2. I am an inventor on the above-identified patent application and am familiar with the specification and prosecution history.
3. I have extensive experience in the field of the claimed invention as indicated in the attached Curriculum Vitae provided herewith as Exhibit A.
4. In some embodiments of the presently claimed mice, at least one allele of the endogenous genetic sequence of the wild-type alpha-fetoprotein (AFP) is disrupted to prevent the mice from making sufficient active AFP to confer fertility. When such a genetically modified mouse has just one allele of the AFP gene modified, it can be mated with another such mouse to obtain